

In the United States Court of Federal Claims

BENCHMARK RESOURCES CORPORATION, *
and GENTRY CORPORATION, *
Plaintiffs, *

v.

No. 03-178L

THE UNITED STATES, *
(Filed Oct. 2, 2006)
Defendant. *

ORDER

Because the 150-page appendix to the Reply Brief in Support of United States' Motion To Dismiss for Lack of Subject Matter Jurisdiction or, in the Alternative, for Summary Judgment filed on September 28, 2006, contained new material, including two new declarations,

IT IS ORDERED, as follows:

1. Plaintiffs may file a sur-reply by October 12, 2006, to address the new material.
2. Argument will be held at 2:00 p.m on Monday, October 16, 2006, in the Howard T. Markey National Courts Building.

s/ Christine O.C. Miller

Christine Odell Cook Miller
Judge